

REMARKS

Claims 23-43 are pending in the present application. A Restriction Requirement for such claims has issued requiring election between:

Group I, claims 23-41, drawn to a method of making ice cream with cryogenic precrystallized particles of edible fat.

Group II, claims 42-43, drawn to a package with cryogenic precrystallized particles of edible fat.

By this Response, applicants hereby elect the Group I, claims 23-41 without traverse, and accordingly, Group II, claims 42-43 are requested to be canceled from the present application. However, applicants preserve the right to prosecute the subject matter of canceled claims 42-43 in one or more continuing applications.

All issues raised in the Office Action are believed to have been addressed. In view of the foregoing amendments and remarks, favorable action on the merits, including entry of all amendments and allowance of all claims pending respectfully is requested.

Respectfully submitted,

/Joshua L. Cohen/

Correspondence Information
Customer Number: 20411
Tel: 908-771-6167
Fax: 908-771-6159

Joshua L. Cohen
Registration No. 34,307
Attorney for Applicant(s)
Date: November 17, 2008